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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,058	08/03/2001	Michael Georg Pauliks	YOR920010146US1/I31-0003	7585

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EXAMINER	
TRUONG, CAM Y T	

ART UNIT	PAPER NUMBER
2172	5

DATE MAILED: 01/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/922,058	PAULIKS ET AL.	
	Examiner	Art Unit	
	Cam Y T Truong	2172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-32 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-32 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 03 January 2002 is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,4 .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. Claims 1-32 are pending in this Office Action.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jenkins et al (or hereinafter "Jenkins") (USP 2002/0188499).

As to claims 1 and 23, Jenkins teaches the claimed limitations:

"assigning a priority to a demand record, said demand record containing a demand record attribute field and a demand record priority field" as each item has priority field and draw quantity field. Each item is represented as a demand record (table 13, page 23).

"said assigning including: identifying a rule database" as when system 100 calculates safety stock for a SKU that is using a safety stock rule with a forward coverage component, it checks the template. If the SKU is assigned to a template, the system finds the rows in the data in the database 600 that apply to the specified template. The above information shows that the system assigns and identify rule for database 600 (page 5, col. Right, lines 31-38),

"said rule database including at least one record, a rule database attribute field that correlates to said demand record attribute field, and a rule database priority field"

as the fulfillment 100 includes rules which are assigned to each SKU in database 600. The database 600 has a list of SKU's, a minimum safety level for each SKU at each location field, demand type priority field. Each field in the fulfillment 100 corresponds to each item location field and demand type priority field (page 2, lines 1-25; page 17, lines 22-67; page 21-55);

"and updating data in said demand record priority field with data from said corresponding rule database priority field" as modifying supply item to fulfill the order with the alternative item based on priority field of fulfillment 100. Supply item includes priority file and Effi. Date field; thus, when the system modifies supply item, the system has to modify priority field of supply item too (fig. 1, page 27, lines 24-40).

Jenkins does not explicitly teach the claimed limitation "querying said rule database for a corresponding rule database record that contains data in said rule database attribute field that matches data in said demand record attribute field".

However, Jenkins teaches that the user can specify potential alternates, or substitutes, for an item. The system 100 allows the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item. The primary demand includes Eff. Date, priority field. Thus, when a substitute item meets the demand of primary item, it means that fields of substitute item match the fields of primary item. This information shows that the system queries the system 100 to retrieve substitutes items (table 3, page 23, lines 39-40; page 24, lines 7-56);

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Jenkins teaching of allowing the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item and substituting item that meets the demand of primary item in order to adjust operations for meeting existing items or order commitments, provide the user with real-time network visibility of planned shipments, in-transits, available inventory, and expiring product.

As to claims 2, 12 and 24, Jenkins teaches the claimed limitation "wherein said data in said corresponding rule database attribute field contains an explicit value" as item 100-00-0000 contains Eff.Date is Nov.26, 1999 (table 13, page 23).

As to claims 3, 13 and 25, Jenkins does not teach explicitly the claimed limitation "wherein said data in said corresponding rule database attribute field contains a hierarchy value and said match occurs if said data in said demand record attribute field is contained within said hierarchy value" as the user can specify potential alternates, or substitutes, for an item. The system 100 allows the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item. The primary demand includes Eff. Date, priority field. Thus, when a substitute item meets the demand of primary item, it means that fields of substitute item meets match the fields of primary item. This information shows that the system queries

the system 100 to retrieve substitutes items (table 3, page 23, lines 39-40; page 24, lines 7-56).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Jenkin's teaching of allows the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item in order to avoid supply conflicts such as unexpected delays in production, by rerouting and reapplying resources.

As to claims 4, 14 and 26, Jenkins teaches the claimed limitation "wherein said data in said corresponding rule database attribute field contains a wildcard value and said data in said demand record attribute field is not used in said matching" as (page 12, lines 45-61).

As to claims 5, 15 and 27, Jenkins teaches the claimed limitation "wherein said demand record attribute field includes due date, customer, and demand type" as each item attributes includes shipping date and demand type and customer (page 23, col. Right, lines 15-60).

As to claims 6, 16 and 28, Jenkins does not explicitly the claimed limitation "creating said rule database" as (fig. 1A-1B, page 17, lines 55-67).

As to claims 7, 17 and 29, Jenkins teaches the claimed limitation updating said at least one record in said rule database" as the user sets up the database 600 and specify properties for the material allocation component 500 process, whenever the user uses the material allocation component. Each time a user sets up the database 600, it means that the user updates database 600 (page, 25, lines 51-60).

As to claims 8, 18 and 30, Jenkins teaches the claimed limitation "creating a hierarchy value, said hierarchy value containing a hierarchy value" as a hard expiration date is used with products that have a limited shelf life based on a date rather than a duration. A calendar includes dates from 1/2000 to 12/200. This information shows that the system creates a hierarchy value (page 7, col. Right, lines 37-44).

As to claims 9, 19 and 31, Jenkins teaches the claimed limitation "creating a hierarchy value, said hierarchy value containing an explicit value" as each SKU in the demand/supply tree based on the information in the database 600. A hard expiration date is used with products that have a limited shelf life based on a date rather than duration. A calendar includes dates from 1/2000 to 12/200. This information shows that the system creates a hierarchy value (page 7, col. Right, lines 37-44; page 26, lines 40-55).

As to claims 10 and 32, Jenkins teaches the claimed limitations:

"assigning a priority to a demand record, said demand record containing a demand record attribute field and a demand record priority field" as each item has priority field and draw quantity field. Each item is represented as a demand record (table 13, page 23).

"said assigning including: identifying a rule database" as when system 100 calculates safety stock for a SKU that is using a safety stock rule with a forward coverage component, it checks the template. If the SKU is assigned to a template, the system finds the rows in the data in the database 600 that apply to the specified template. The above information shows that the system assigns and identify rule for database 600 (page 5, col. Right, lines 31-38),

"said rule database including at least one record, a rule database attribute field that correlates to said demand record attribute field, and a rule database priority field" as the fulfillment 100 includes rules which are assigned to each SKU in database 600. The database 600 has a list of SKU's, a minimum safety level for each SKU at each location field, demand type priority field. Each field in the fulfillment 100 corresponds to each item location field and demand type priority field (page 2, lines 1-25; page 17, lines 22-67; page 21-55; page 5, col. Right, lines 31-38);

"said matching comprising: querying said rule database for an explicitly data match" as if the planning component 210 can find inventory that matches the expiration date of an in-transit and is available on or before the in-transit is scheduled to ship, then it draws from this inventory to meet the requirement. The inventory includes items in database 600. Each item contains source, destination, effective date, i.e., item cookie

has effective date 1/5. The above information shows that the system queries inventory or items in database for an explicitly data match. Effective data 1/5 is represented as explicitly data (page 6, col. Right, table 2, page 21, col. Left, lines 53-58, col. Right, lines 25-30);

"updating data in said demand record priority field with data from said corresponding rule database priority field" as modifying supply item to fulfill the order with the alternative item based on priority field of fulfillment 100. Supply item includes priority file and Effi. Date field; thus, when the system modifies supply item, the system has to modify priority field of supply item too (fig. 1, page 27, col. Right, lines 24-40, page 7, col. Right, lines 24-25).

Jenkins does not explicitly teach the claimed limitation "querying said rule database for a corresponding rule database record that contains data in said rule database attribute field that matches data in said demand record attribute field; if no said explicit data match exists querying said rule database for a hierarchy value match; if no said explicit data match or said hierarchy value data match exists querying said rule database for a wildcard match".

However, Jenkins teaches that the user can specify potential alternates, or substitutes, for an item. The system 100 allows the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item. The primary demand includes Effective. Date, priority field. Thus, when a substitute item meets the demand of primary item, it means that fields of substitute item match the fields of primary item. This information shows that the system queries the

system 100 to retrieve substitutes items (table 3, page 23, lines 39-40; page 24, lines 7-56). Jenkins also teaches if the planning component cannot find an appropriate match, it must use inventory that expires later than the expiration date on the in transit and is available on or before the in transit is scheduled to ship. The inventory includes items in database 600. Each item contains source, destination, effective date, i.e., item cookie has effective date 1/5. An expiration date is used with products that have a limited shelf life based on a date rather than duration. An example of this type of product is a printed calendar. Since a calendar that includes dates from 1/2000 to 12/2000, value of expiration date is a hierarchy value. The above information shows that the system matches expiration date of inventory with the expiration date of an in transit for a hierarchy value match (page 21, col. Right, lines 56-59, col. Left, lines 25-30; page 7, col. Right, lines 37-44).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Jenkins teaching of allowing the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item, substituting item that meets the demand of primary item and if the planning component cannot find an appropriate match, it must use inventory that expires later than the expiration date on the in-transit and is available on or before the in-transit is scheduled to ship in order to provide the user with real-time network visibility of planned shipments, in-transits, available inventory, and expiring product and avoid supply conflicts such as unexpected delays in production, by rerouting and reapplying resources.

As to claim 11, Jenkins teaches the claimed limitations:

"a storage device storing master planning priority assignment data" as fulfillment server stores material planning (fig. 1A-1B, page 2, col. Right, lines 1-34);

"a user system" as the user can manipulate those inventory components by changing database values that affect the forecast or plan, the opening an update model or the planning component 210. This information shows that the system includes a user system to allow the user can to manipulate those inventory (page 5, col. Right, lines 32-33);

"and a host system in communication with said storage device and said user systems" as the system 100 allows a user to see how the components of a SKU's inventory are affected by changes to its forecast or distribution plan: average cycle stock, average stock and safety stock. This information shows that the system has included a storage device to store a SKU's inventory. The system 100 is represented as a host system (page 5, col. Right, lines 30-33);

"said host system implementing a process comprising: assigning a priority to a demand record, said demand record containing a demand record attribute field and a demand record priority field" as each item has priority field and draw quantity field. Each item is represented as a demand record (table 13, page 23);

"said assigning including: identifying a rule database" as when system 100 calculates safety stock for a SKU that is using a safety stock rule with a forward coverage component, it checks the template. If the SKU is assigned to a template, the

system finds the rows in the data in the database 600 that apply to the specified template. The above information shows that the system assigns and identify rule for database 600 (page 5, col. Right, lines 31-38),

"said rule database including at least one record, a rule database attribute field that correlates to said demand record attribute field, and a rule database priority field" as the fulfillment 100 includes rules which are assigned to each SKU in database 600. The database 600 has a list of SKU's, a minimum safety level for each SKU at each location field, demand type priority field. Each field in the fulfillment 100 corresponds to each item location field and demand type priority field (page 2, lines 1-25; page 17, lines 22-67; page 21-55);

"and updating data in said demand record priority field with data from said corresponding rule database priority field" as modifying supply item to fulfill the order with the alternative item based on priority field of fulfillment 100. Supply item includes priority file and Effi. Date field; thus, when the system modifies supply item, the system has to modify priority field of supply item too (fig. 1, page 27, lines 24-40).

Jenkins does not explicitly teach the claimed limitation "querying said rule database for a corresponding rule database record that contains data in said rule database attribute field that matches data in said demand record attribute field".

However, Jenkins teaches that the user can specify potential alternates, or substitutes, for an item. The system 100 allows the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item. The primary demand includes Eff. Date, priority field. Thus, when a

substitute item meets the demand of primary item, it means that fields of substitute item meets match the fields of primary item. This information shows that the system queries the system 100 to retrieve substitutes items (table 3, page 23, lines 39-40; page 24, lines 7-56);

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Jenkins teaching of allowing the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item and substituting item that meets the demand of primary item in order to provide the user with real-time network visibility of planned shipments, in-transits, available inventory, and expiring product and avoid supply conflicts such as unexpected delays in production, by rerouting and reapplying resources.

As to claims 22, Jenkins teaches the claimed limitations:

"a storage device storing master planning priority assignment data" as fulfillment server stores material planning (fig. 1A-1B; page 2, col. Right, lines 1-35);

"a user system" as the user can manipulate those inventory components by changing database values that affect the forecast or plan, the opening an update model or the planning component 210. This information shows that the system includes a user system to allow the user can to manipulate those inventory (page 5, col. Right, lines 32-33);

"and a host system in communication with said storage device and said user systems" as the system 100 allows a user to see how the components of a SKU's inventory are affected by changes to its forecast or distribution plan: average cycle stock, average stock and safety stock. This information shows that the system has included a storage device to store a SKU's inventory. The system 100 is represented as a host system (page 5, col. Right, lines 30-33);

"said host system implementing a process comprising: assigning a priority to a demand record, said demand record containing a demand record attribute field and a demand record priority field" as each item has priority field and draw quantity field. Each item is represented as a demand record (table 13, page 23);

"said assigning including: identifying a rule database" as when system 100 calculates safety stock for a SKU that is using a safety stock rule with a forward coverage component, it checks the template. If the SKU is assigned to a template, the system finds the rows in the data in the database 600 that apply to the specified template. The above information shows that the system assigns and identify rule for database 600 (page 5, col. Right, lines 31-38),

"said rule database including at least one record, a rule database attribute field that correlates to said demand record attribute field, and a rule database priority field" as the fulfillment 100 includes rules which are assigned to each SKU in database 600. The database 600 has a list of SKU's, a minimum safety level for each SKU at each location field, demand type priority field. Each field in the fulfillment 100 corresponds to

each item location field and demand type priority field (page 2, lines 1-25; page 17, lines 22-67; page 21-55);

"said matching comprising: querying said rule database for an explicitly data match" as if the planning component 210 can find inventory that matches the expiration date of an in-transit and is available on or before the in-transit is scheduled to ship, then it draws from this inventory to meet the requirement. The inventory includes items in database 600. Each item contains source, destination, effective date, i.e., item cookie has effective date 1/5. The above information shows that the system queries inventory or items in database for an explicitly data match. Effective data 1/5 is represented as explicitly data (page 6, col. Right, table 2, page 21, col. Left, lines 53-58, col. Right, lines 25-30);

"and updating data in said demand record priority field with data from said corresponding rule database priority field" as modifying supply item to fulfill the order with the alternative item based on priority field of fulfillment 100. Supply item includes priority file and Effi. Date field; thus, when the system modifies supply item, the system has to modify priority field of supply item too (fig. 1, page 27, lines 24-40).

Jenkins does not explicitly teach the claimed limitation "query said rule database for a corresponding rule database record that contains data in said rule database attribute field that matches data in said demand record attribute field; if no said explicit data match exists querying said rule database for a hierarchy value match; and if no said explicit data match or said hierarchy value data match exists querying said rule database for a wildcard match".

However, Jenkins teaches that the user can specify potential alternates, or substitutes, for an item. The system 100 allows the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item. The primary demand includes Effective. Date, priority field. Thus, when a substitute item meets the demand of primary item, it means that fields of substitute item match the fields of primary item. This information shows that the system queries the system 100 to retrieve substitutes items (table 3, page 23, lines 39-40; page 24, lines 7-56). Jenkins also teaches if the planning component cannot find an appropriate match, it must use inventory that expires later than the expiration date on the in-transit and is available on or before the in-transit is scheduled to ship. The inventory includes items in database 600. Each item contains source, destination, effective date, i.e., item cookie has effective date 1/5. An expiration date is used with products that have a limited shelf life based on a date rather than duration. An example of this type of product is a printed calendar. Since a calendar that includes dates from 1/2000 to 12/2000, value of expiration date is a hierarchy value. The above information shows that the system matches expiration date of inventory with the expiration date of an in transit for a hierarchy value match (page 21, col. Right, lines 56-59, col. Left, lines 25-30; page 7, col. Right, lines 37-44).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Jenkins teaching of allowing the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item and substituting item that meets the demand of

primary item and if the planning component cannot find an appropriate match, it must use inventory that expires later than the expiration date on the in transit and is available on or before the in transit is scheduled to ship in order to provide the user with real-time network visibility of planned shipments, in-transits, available inventory, and expiring product and avoid supply conflicts such as unexpected delays in production, by rerouting and reapplying resources.

As to claim 20, Jenkins teaches the claimed limitation "a network providing communication between the host system and the user system" as (page 1, col. Right, lines 31-35).

As to claim 21, Jenkins teaches the claimed limitation "a network providing communication between the host system and the user system" as (fig. 1, page 1, col. Right, lines 31-35).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

Hsu et al (USP 6377956).

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam-Y Truong whose telephone number is (703-605-1169). The examiner can normally be reached on Mon-Fri from 8:00AM to 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703-305-9790). The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Cam-Y Truong

12/18/03